

REMARKS

Claims 25-27, 29-34, 36-41, 43-47, and 49-50 are pending in the subject application. Claims 28, 35, 42, 48, and 51-59 stand canceled. Claims 25, 32, 39, and 45 have been amended. Support for the within amendments is found throughout the specification, and no new matter is presented by virtue of these amendments. Claims 25-27, 29-34, 36-41, 43-47, and 49-50 will be pending upon entry of the instant response.

Amendment of any claim herein is not to be construed as acquiescence to any of the rejections/objections set forth in the instant Office Action, and was done to expedite prosecution of the application. Applicants make these amendments without prejudice to pursuing the original subject matter of this application in a later filed application claiming benefit of the instant application, including without prejudice to any determination of equivalents of the claimed subject matter. Favorable reconsideration of the present application is respectfully requested in light of the amendments and remarks which follow.

Claims 25-27, 29-31, 32-34, 36-41, 43-47, and 49-50 are rejected under 35 U.S.C. §103(a) as being unpatentable over **Weber et al. (US 5,190,976)**, in view of **Durant et al. (US 6,013,675 and US 6,153,604)**. It is alleged that Weber discloses positional isomers of compounds utilized in the instant invention, and that it would have been obvious to one of ordinary skill in the art to combine the teachings of Weber with Durant to arrive at the compounds utilized in the claimed invention.

The rejection is respectfully traversed. Nonetheless, in order to expedite allowance of the application, the claims have been amended. In particular, Applicants have amended claims 25, 32, 39, and 45 to include the generic formula wherein the both the "R" and "R¹" groups include a substituted or unsubstituted carbocyclic aryl having at least about 5 ring atoms, or substituted or unsubstituted aralkyl having at least about 5 ring atoms, or a substituted or unsubstituted heteroaromatic or heteroalicyclic group having from 1 to 3 rings, 3 to 8 ring members in each ring and from 1 to 3 hetero atoms. Support can be found in the claims as amended on June 27, 2002. The subject matter of the instant amendments are delineated in

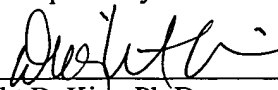
issued patent US 6,787,569, which claims priority to USSN 08/191,793, to which this application also claims priority. Applicants respectfully request withdrawal of the rejection.

In view of the above, reconsideration and withdrawal of all rejections and allowance of claims 25-27, 29-34, 36-41, 43-47, and 49-50 are respectfully solicited. Accordingly, the Examiner is respectfully requested to pass this application to issue. Should any of the claims not be found to be allowable, the Examiner is requested to telephone Applicants' undersigned representative at the number below. Applicants thank the Examiner in advance for this courtesy.

The Director is hereby authorized to charge or credit any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 04-1105, under Attorney Docket No. 42982C1C (47843), Customer No. 21874.

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Respectfully submitted,

By 
Dwight D. Kim, Ph.D.

Registration No.: 57,665

Christine C. O'Day

Registration No.: 38,256

EDWARDS ANGELL PALMER & DODGE LLP

P.O. Box 55874

Boston, Massachusetts 02205

Tel.: (617) 439-4444

Fax: (617) 439-4170

Attorneys/Agents For Applicant